

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

OP.No. 30064 of 2002(D)

PETITIONER:

KAMALA NAIR, W/O.R.KRISHNAN NAIR,
49/754 B, KARAMA ROAD, ELAMAKKARA,
KOCHI - 26.

BY ADV. SRI.R.KRISHNAN NAIR

RESPONDENTS:

1. THE DHANALAKSHMY BANK,
SHANMUGHAM ROAD BRANCH,
SHANMUGHAM ROAD, ERNAKULAM.
2. DY.THASILDAR, (R.R) KANAYANNOOR TALUK,
ERNAKULAM, KOCHI-11.

BY ADV. SRI.P.JACOB VARGHESE
SMT.SMITHA SUKUMAR, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

O.P.NO. 30064/2002

ORDER ON CMP NO.50804/2002 IN O.P.NO. 30064/2002 &

ORDER ON CMP NO. 482/2003 IN CMP NO. 50804/2002 IN O.P.NO. 30064/2002.

DISMISSED.

05/12/2007

SD/-(C.N.RAMACHADRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF RR NOTICE ISSUED BY THE 2ND RESPONDENT DATED 08/10/2002.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 30064 of 2002

Dated, this the 5th day of December, 2007

J U D G M E N T

Petitioner availed a loan for purchasing a house. Petitioner's husband, who is a surety for the loan and a lawyer, who filed this original petition for the petitioner, is no more. This original petition is pending for the last five years and it is not known whether the matter is settled or whether there is any arrangement between the petitioner and the Bank for settlement. Learned standing counsel for the Bank submitted that Bank is willing for any reasonable settlement. In the circumstances and having regard to the death of the surety, who is petitioner's husband, I direct the 1st respondent to grant maximum incentives to the petitioner to settle the liability and also give reasonable time for making payment of arrears under the OTS scheme.

Since learned counsel for the petitioner is died, I direct the registry to forward a copy of this judgment to the petitioner, in the address given in the original petition, for information.

(C.N.RAMACHANDRAN NAIR, JUDGE)